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5 **UNITED STATES DISTRICT COURT**
6 **WESTERN DISTRICT OF WASHINGTON**
7 **AT SEATTLE**

8 JEFFREY SWIFT,

9 Plaintiff,

10 v.

11 ICICLE SEAFOODS, INC AND ICICLE VESSEL
12 HOLDING, INC,

13 Defendants.

No. 2:16-cv-1483-RSM

**STIPULATED MOTION AND ORDER
TO CONTINUE DISCOVERY AND
RELATED DEADLINES**

14 **I. MOTION**

15 Subject to the Court's approval, Plaintiff Jeffrey Swift and Defendants Icicle Seafoods,
16 Inc. and Icicle Vessel Holding, Inc., by and through their undersigned counsel, hereby stipulate
17 to the continuance of the (1) deadline to disclose expert testimony and (2) deadline to note all
18 discovery-related motions, established by this Court's Order Setting Trial Date and Related
19 Dates (ECF No. 11). The Parties do not seek a continuance of the December 11, 2017 trial
20 date or any other pre-trial deadlines at this time.

21 **II. STIPULATION**

22 1. This is a seaman's personal injury action for injuries allegedly sustained by
23 Plaintiff Jeffrey Swift while employed by Icicle Seafoods, Inc. and in service of the vessel P/V
R.M. THORSTENSEN.

{28381-00308551;2}

1 2. The Parties have worked in good faith to complete discovery and have diligently
2 pursued discovery. The Parties have propounded multiple sets of written discovery requests
3 and together produced over 900 pages of documents. On April 10, 2017, Plaintiff underwent
4 medical examinations performed by medical experts of both Parties. Defendants deposed
5 Plaintiff on April 12, 2017.

6 3. The Parties have discussed the possibility of deposing additional crewmembers
7 of the P/V R.M. THORSTENSEN and conducting an inspection of the vessel. These discovery
8 items have been tentatively scheduled for June 2017.

9 4. The Parties stipulate to the continuance of the deadline to disclose expert
10 testimony from June 14, 2017 to July 14, 2017, and the deadline to note discovery-related
11 motions from July 14, 2017 to August 11, 2017.

12 5. The continuance of these deadlines will permit the Parties to complete several
13 critical areas of fact discovery so they can evaluate the possibilities of settlement, mediation,
14 or other ADR methods before incurring significant additional litigation costs associated with
15 expert discovery and completing other areas of fact discovery.

16 6. The Parties have not requested a previous continuance.

17 7. The Parties do not request a continuance of the December 11, 2017 trial date or
18 any other pre-trial deadlines set forth in the Court's Order Setting Trial Date and Related Dates
19 (ECF No. 11) at this time.

20 8. Subject to the Court's approval, the Parties propose the following amended case
21 schedule:
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<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
TRIAL DATE	December 11, 2017	December 11, 2017
Disclosure of expert testimony under FRCP 26(a)(2)	June 14, 2017	July 14, 2017
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to CR 7(d)(3) or CR 7(a)(2)(B)	July 14, 2017	August 11, 2017
Discovery completed by	August 14, 2017	August 14, 2017
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see CR 7(d)(3))	September 12, 2017	September 12, 2017
Mediation per CR 39.1(c)(3), if requested by the parties , held no later than	October 27, 2017	October 27, 2017
All motions in limine must be filed by and noted on the motion calendar no earlier than the THIRD Friday thereafter	November 13, 2017	November 13, 2017
Agreed pretrial order	November 29, 2017	November 29, 2017
Pretrial conference to be scheduled by the Court	November 29, 2017	November 29, 2017
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	December 6, 2017	December 6, 2017

DATED this 9th day of May, 2017.

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O'BRYAN BAUN KARAMANIAN

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Attorneys for Plaintiff

ORDER

Pursuant to the Parties' Stipulated Motion, the deadline to disclose expert testimony under FRCP 26(a)(2) is continued to July 14, 2017, and the deadline to note all motions related to discovery is continued to August 11, 2017.

IT IS SO ORDERED.

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1 DATED this 10th day of May, 2017.

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4 RICARDO S. MARTINEZ
5 CHIEF UNITED STATES DISTRICT JUDGE
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